G. R. S. 58]

Previous references.

File No. 155-16

1916.

Serial Nos. 1—2.

(Inuyrai)

Later references.

Mu 599 151-7

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—2.

Part B for Septr. 16.

SUBJECT.

Appeal by Balasami Iyer to the High Court of Madras for Recovery of possession of certain lands in Arapalyam village, Madura dist: belonging to the Sri Vyasaraya Swami Math.

To. Inuy. Supdt. of Compts. to Govt.

No 643-4 Dt. 2-9-16.

Sanctions the advance of Rs 250/- and requests Compts to authorize the Inuy. Supdt. to draw the amount from the funds of the Math in question

W D 1351—GPE—20,000—13-12-11

K. R. Appadorai
Asst. VII 15.9.16.

G R S. 11] 1916-17

GENERAL AND REVENUE SECRETARIAT.

(Mug)

NOTES.

File No 155-16

FILE HEADING.

~~Court~~ Appeal by Balasami Iyer to the High Court of Madras for ~~re~~ recovery of possession of ~~the~~ certain lands in Arapalyam village, Madura Taluk, belonging to the Sri Vyasarayaswami Matha.

From

The Muzrai Supdt in Mysore.

No. 257 Dated 24-8-16 Received 24-8-16

Diary No. 393	Enclos. 2 Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests that he may be authorized to draw, subject to adjustment, an advance of Rs 250/- from the Matha funds towards the Vakil's fees and other incidental expenses connected with the appeal preferred to the High Court of Madras by the plaintiff Balasami Iyer in the above case.

NOTES AND ORDERS.

The Muzrai Supdt's letter submitting copies of judgment & decree passed by the temporary Sub-Judge of Ramnad in O.S. no. 61 of 14 together with a memorandum giving the facts of the case was recorded in G.O.No. 2224/Mug 422-14-2 & 13-4-15.

2038
26.8.16

NOTES—First Sheet.

NOTE—Contn. sheet.

GPL 70000 17.12.15

G. R. S. 12]

General and Revenue Secretariat.

File No. 155 of 1916.

Serial No.

The Govt. Agent of the Matha having written to the Muzarai Supdt. that he has engaged the services of elle T. Narasimha Iyengar, High Court Vakil, Madras, on behalf of the Matha in the appeal preferred to by the Plaintiff Balasami Iyer to the High Court of Madras, the Muz: Supdt. requests to be authorized to draw an advance of Rs 250, subject to future adjustment, to meet the Vakil's fees & court costs -

It will be seen from paragraphs 10 & 11 of the Memo: giving the facts of the case that the present lessees of the land in dispute have undertaken to conduct at their own cost all litigations that might arise at the instance of Balasami Iyer - Accordingly, whatever cost the Agent may now incur on behalf of the Matha should be recouped from the lessees -

Draft Order requesting the Comptr. to authorize the Muzrai Supdt. to draw the advance of Rs 250/- is subd. for approval -

SD
25/8

The lessees have also engaged Counsel to support the lower courts' decision. As both the appeals viz

NOTE—Contn. sheet

GPB 70 000 -17 12 15

G. R. S. 12]

General and Revenue Secretariat. | Mm3 File No. 155 of 1916.

Serial No.

P This me and the other concerning the L.A. Compensation will be heard together and as there is a conflict in the interests between the mother and the lessee, it appears to me best that the interests of the mother should be separately represented in the present appeal. The value of the land is very large and all precautions will have to be taken. The draft wording approved

Dy Secy (Revenue) 26.9.16

Approved 26/9/16 Offg 27/9

2 Nos 643-4 dt 2.9.16, 2 mess dept & compt Mogul, sanctions the advance of 250 Rs, & requests compt to authorize the mess dept to draw the accd

B from the funds of the mess in question

NOTE—Contn. sheet

(GPB 70000-17.12.)

Urgent

WD 019—GPB—1,000—10-4-16

No. 257
Encls. Nil

OFFICE OF THE MUZRAI SUPERINTENDENT IN MYSORE,

Dated Bangalore, 24th August 1916

DIARY No. 393

10/6-18 (7)
SECTION MUL
FILE No. 155-16
B.A.B.A. No. 1

FROM

G. ARAVAMUDU IYENGAR, ESQ.
MUZRAI SUPERINTENDENT IN MYSORE,
BANGALORE.

To

D. M. Narasinga Rao, Esquire, B.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore, General Department.

SIR,

Adverting to Government Proceedings No.2224/M.F.422-14-2 dated 13th April 1915 recording the Muzrai Superintendent's letter submitting for perusal copies of judgment and decree passed by the Temporary Sub Judge of Ramnad in O.S.No.61 of 1914 (Puliyadi Balasami Iyer, vs. Vyasarayaswamigalu and others), I have the honour to submit herewith report No.21 dated 22nd August 1916 received from the Government Agent stating that the appeal preferred by the Plaintiff to the High Court of Judicature Madras will be heard this week or early next week and that the services of Mr. T. Narasimha Iyengar, High Court Vakil, who has charge of the other appeal relating to the claim of the Mutha for higher compensation for the lands taken up by the Madura Municipality out of the property involved in the first suit, have been engaged and to recommend that in the circumstances reported the action taken by the Agent may be approved.

2. I also request that subject to adjustment on presentation of a final bill of costs, I may be authorised to draw an advance

of Rs.250/- from the Matha funds towards the Vakil's fees and other incidental expenses connected with the suit.

I have the honour to be,

Sir,

Your most obedient servant,

Muzrai Superintendent.

From

THE MUZRAI SUPERINTENDENT
IN MYSORE

To

Dated

Despatched

No.
Encls.

SUBJECT

M E M O.

The Vyasarayaswami Matt owns certain lands in Arapalayam village, Madura Taluk, consisting of two Survey Nos.5 and 7. The former is 4.66 acres and the latter 15.55 acres totalling in all 20.21 acres in extent. The whole of this land is now included in the Municipal limits of the Madura town.

2. Formerly one Sundrarayachar and his son Venkatarayachar were in possession of the above lands, the same being included in the lease of Ayyur and Errambatte, the Inam villages belonging to the Matt in the Madura District. About the year 1885, Sundrarayachar, since deceased, obtained from Srimat Vidya Sridharateertha Swamigalavaru the lease in perpetuity of 5 Kulies or about 3 acres in Survey No.7 for an annual rental of Rs.20/-. Subsequently he sold a portion of the land for a large sum for house building purposes retaining for himself a small extent of cocoanut garden. The garden is now in the possession of Srinivasa Rao and Sripati Rao, the sons of Sundrarayachar by his second wife.

3. Sundrarayachar's eldest son Venkatarachar also obtained a permanent lease of another extent of 6 kulies or about $3\frac{1}{2}$ acres in Survey No.5 from Srimat Vidya Srinivasa Theertha Swamigalavaru on 17th March 1891, for an annual rental of Rs.24/-.

4. On a portion of this land, there is a cocoanut garden which was leased out by him to one Murugala Konan for a short period, and the remaining extent was leased out to one Chokkalingam Pillay for 10 years from 20th May 1899 for an annual rental of Rs.96/- and upon this, the lessee put up a theatre.

advisability of the transaction and the suitability of the proposed lease deed, and on his expressing a favourable opinion, a fresh lease was granted to Venkatasami Naick and Sankaralingam Pillay for a period of 17 years from 28th November 1911 for a rental of Rs.130/- per year, the lessees binding themselves to defray all costs of litigation.

12. Balasami Iyer has now filed a suit (O.S.No.24/1913) in the Sub Court of Madura to recover, among other things, the possession of the property. Venkatasami Naick, Sankaralingam Pillai, and the Swamigalavaru have been made defendants together with 23 others who have some connection or other with it. Venkatarayachar and his son Venkata-narasimhachar were also made parties to the suit as 2nd and 3rd Plaintiffs respectively.

x x x

x x

E x t r a c t.

Muzrai Superintendent.

G.R.S. 28]

Advance of Rs 250/- to the Munsif Supdt from the funds of the Sri Vyasaraya Matha to meet the costs of litigation in the appeal case in the Madras High Court re land in Arapalyam, Madura Taluk, belonging to the matha.

File No. 155-16

Serial No. 2

Diary No. of letter replied to 393

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

(Mug)

READ—

the 191 .

Govt Progs No. 2224/Mug 422-14-2 & 13-4-15 recording the Munsif Supdt's letter submitting copies of judgment and decree passed by the temporary

Date of issue 2. 9. 916

Signed by M. C. Aravamudachar

~~ORDER THEREON—No.~~

Sub-Judge of Ramnad in O. S. No. 61/14 ~~together~~ re land in Arapalyam village, Madura Taluk, belonging to the Sri Vyasarayaswami Matha, together with a memorandum giving the facts of the

OVER.

SUBJECT.

case -

2) Letter No. 257 & 24-8-1916 from the Muzrai Supdt in Mysore stating that the Govt Agent of the Mathas writes that the appeal preferred by the Plaintiff Balasami Iyer to the High Court of Madras will be heard this week or early next week and that the services of Mr T. Narasimhiengar, High Court Vakil, have been engaged; and requesting that the Agent's action may be approved and that the Muzrai Supdt may be authorized to draw an advance of Rs 250/- from the Mathas funds, subject to adjustment on presentation of a final bill of costs, to pay the Vakil's fees and meet other incidental expenses connected with the suit.

Order thereon: 643-4 Enc 2 Dy 2-9-1916
mra 155-16-2

Under the above circumstances, the Comptr to Govt is requested

GPI—20,000—2 10 11

G R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

requested to authorize the Munsif Supdt. to draw the amount of Rs 2 in advance from the Mutha funds, subject to adjustment in due course

ment entered into by the said lessees Venkat ii Na', and — Sankarlingam P' of the land in dispute, the costs of litigation in quest' incurred on ~~the~~ of Mutha should be recovered

les

26.8.16
For Secretary
Genl Deptt

To

The Comptr to Govt

Munsif Supdt in Mysore
rely the enclos:-

GPB—10,000—22-2 11